



Trafficking Watch

International Rescue Committee

Issue No. 3, Winter 2004

ORR TRAFFICKING IN PERSONS PROGRAM

Each year, the Secretary of Health and Human Services, in consultation with the Secretary of Labor, the Board of Directors of the Legal Services Corporation, and the heads of other Federal agencies, submits an Annual Trafficking Report to US Congress indicating the number of trafficked persons who obtained certification and received benefits or services under the Trafficking Victims Protection Act (TVPA).

The report provides statistical information on the number of certification/eligibility letters issued; the location of certified trafficked persons throughout the US; their respective countries of origin; and benefits and services provided, such as Matching Grant (MG), Refugee Cash Assistance (RCA), Refugee Medical Assistance (RMA), Supplemental Security Income (SSI), and food stamps. The report also highlights discretionary grants awarded to non-governmental organizations (NGOs) to provide direct services to trafficked persons and conduct outreach and public education. Finally, the report summarizes outreach activities carried out by HHS/Office of Refugee Resettlement (ORR) to increase public awareness about trafficking in persons.

While the 2003 ORR Annual Trafficking Report to Congress has yet to be

released, Trafficking Watch has obtained some data (*see charts on pages 3 to 6*) from HHS/ORR that will be released in the forthcoming report. We would like to thank Steve Wagner, coordinator, and Antoinette Aqui, analyst, Trafficking in Persons Program of the Office of Refugee Resettlement, for providing this information and for generously sharing their time with us.

Mollie Ring, editor of Trafficking Watch, recently conducted an interview with Steve Wagner, coordinator of the ORR Trafficking in Persons Program, in which he discussed both the challenges and significant advances in combating trafficking and talked about his vision for the program's future success:

Ring: *Please share examples of successful public awareness efforts engaged in by HHS/ORR or ORR trafficking grantees.*

Wagner: There is some very promising work going on but we are fundamentally concerned about the pace of victim identification. We have in place an excellent system for assisting victims, a mechanism to help victims rebuild their lives here in the United States. We're in good shape with regard to providing services to victims at present levels, but the problem is that we're not finding victims at an acceptable rate.

With regard to public awareness efforts, the materials that have been generated by our NY grantees, specifically ECPAT in collaboration with IOFA, the New York

Asian Women's Center, Tepeyac, Safe Horizon, and the International Rescue Committee, are especially impressive. Collaboration among NYC anti-trafficking organizations is a model we would like to see replicated elsewhere as efforts in New York City to reach into ethnic communities are excellent. Another exciting model is in San Francisco with a group called SAGE. By working with the City Council and local police, SAGE has created a trafficking training requirement as part of the licensing of massage parlor workers and SAGE will conduct these sessions. This sort of one-on-one trafficking awareness counseling is extremely promising.

Overall, the task of building public awareness generally is too large to put on the shoulders of NGOs. The government must assume some of the burden for bringing victims forward, particularly given the relatively modest size of the trafficking grants. There just isn't enough money for NGOs to do it all. Grantees are great at counseling and providing services to victims and that's what we need for them to focus on.

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Ring: *Please describe some highlights of the national outreach and education campaign that is underway.*

Wagner: We have made some tentative decisions and we are still in the process of designing this program. As we look at the problem, we need to designate some test market cities. We need to ensure that our approach is effective and that we are able to handle the victims who come forward before rolling out the campaign to additional cities. I hope that we will be able to announce the pilot cities soon. We have a terrific and unusual collaboration with DOJ - we're working with them hand in glove and that will continue to be very important.

Conceptually we will focus our initial efforts on intermediaries - people who come into contact with victims of trafficking but don't know it. Police, health-care providers, other local officials encounter victims routinely and yet are unable to recognize them. An exciting accomplishment early on in the local awareness campaign came out of talks with police officers. We discovered that the local police in a particular city had extensive knowledge of what they thought was a trafficking ring, however, they had never communicated this to federal law enforcement. We conveyed this information to the Justice Department, which is now looking at creating a joint federal/local investigation.

Ring: *What are some of the major accomplishments by ORR in fighting trafficking and protecting trafficked persons?*

Wagner: Early work resulted in the building of a service provider network to aid victims. We now have a very impressive network of NGOs, grantees and non-grantees, that has stepped forward to provide assistance. Additionally, we are especially well positioned to handle minor (under 18) victims by enrolling them into the Unaccompanied Refugee Minors program.

Other accomplishments include completion of the procurement process for the public education campaign. The fruits have yet to ripen, but we have a structure in place and we are moving forward. Soon we will have things to show from our public education efforts.

Finally, I see our working relationship with DHS and DOJ as a major accomplishment. All three Departments are very serious about addressing this issue and getting the identification rates up to an appropriate level. Operational collaboration at the field level between these three departments is so important and is improving rapidly.

Ring: *How can NGOs more effectively collaborate with government and law enforcement agencies working to combat human trafficking? Specifically, what are some of the ways in which they can better identify and assist trafficking victims?*

Wagner: This is an extremely difficult question because I believe that every NGO that has stepped forward to work on trafficking is doing everything they can to identify and serve victims now. For the most part, local law enforcement is clearly not aware of the phenomenon and the fact that it's a federal crime. NGOs can do a lot to encourage greater awareness by being local advocates on behalf of the trafficking program and encourage local law enforcement to make trafficking a priority.

Ring: *What do you believe are some of the major challenges in bringing more victims forward?*

Wagner: I think that the number one challenge is the lack of awareness on the part of government officials about the phenomenon of human trafficking and the mechanisms that have been set up to aid victims. If all police officers were aware and looking for victims in the course of their daily work, we'd be doing a better job. We need to figure out who is encountering victims and ensure that they are able to recognize them. I'm con-

fidant that when we do that, we'll see a major increase in victim identification.

Our model will remain to get victims into partnership with local NGO case managers from the earliest possible moment. To the extent that HHS becomes aware of a victim through our activities, that will be our approach. The factors deterring a victim from coming forward are well known; the way to overcome those factors is through the development of personal relationships of trust with staff members at NGOs.

Ring: *What is the average length of processing time to secure certification for identified victims of trafficking? Are there established ORR and interagency protocols in place?*

Wagner: Certification is accomplished by us in a very short period of time, usually a couple of days. But that occurs after a victim has met the requirements for certification by law, a process that requires action by other departments over which we have no control. DHS is reviewing Continued Presence and T-visa applications very quickly and the system has improved significantly in terms of our responsiveness to victims.

Ring: *Are there initiatives funded by ORR that specifically address (and seek to reduce) the demand for trafficking?*

Wagner: At present there are no specific anti-demand initiatives underway. But we are focused on this question. It's possible that demand reduction will be a part of our public awareness strategy and we agree that it calls for serious attention. There are organizations like SAGE which are carrying out doing anti-demand work external to their grant - for example, some run "johns schools".

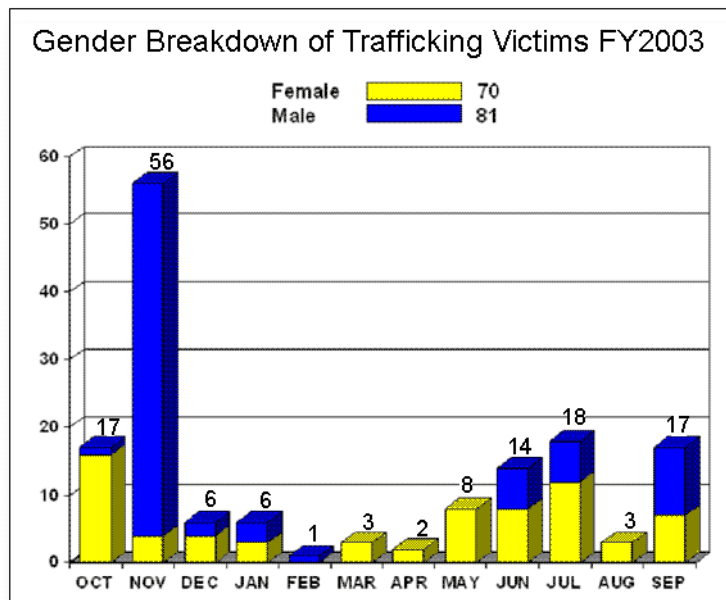
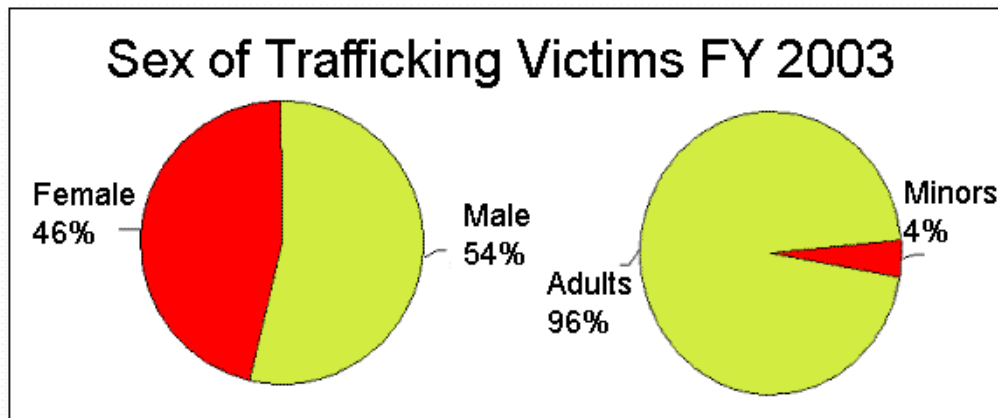
Ring: *How do you believe that the reauthorization of the TVPA will strengthen ORR's ability to combat human trafficking?*

Wagner: Through the TVPRA, we sought and received authorization to assist victims in achieving certification. Under the TVPA, HHS had no specific grant making authority and for the first time we have the authority to make grants available for that purpose, to help victims achieve certification. There is a question of whether or not this authority can only be made available under new grants and we are currently looking at how to provide this authority to current grantees.

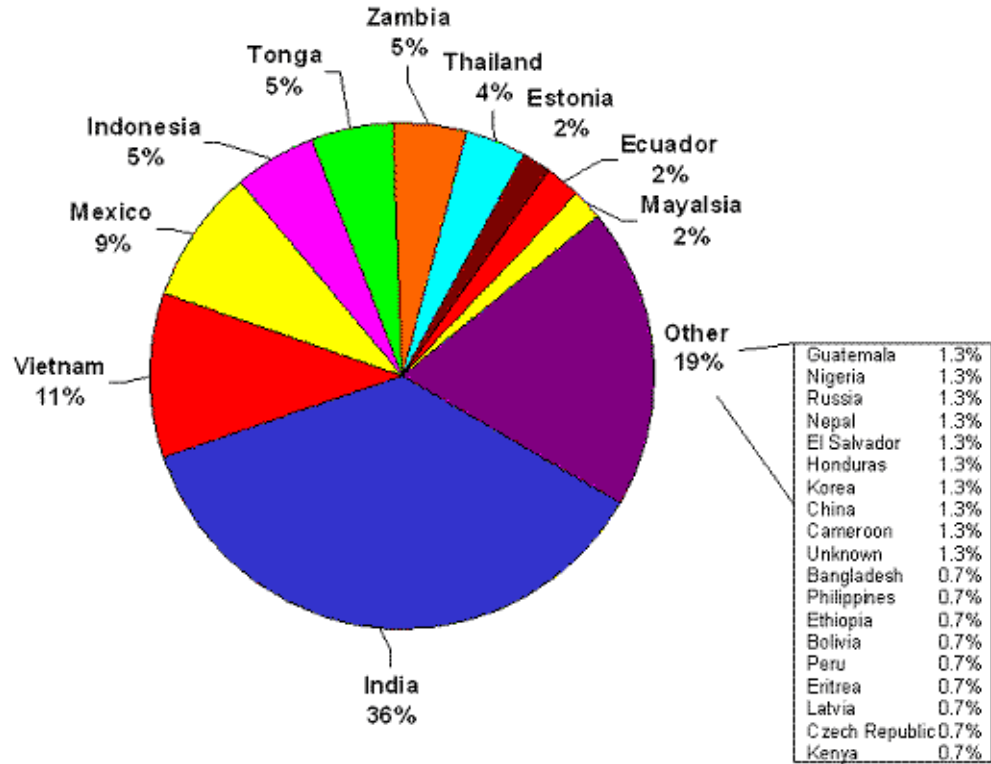
Also significant to the reauthorization is that it gives specific standing to local law enforcement to provide evidence to DHS that a person is a victim of trafficking as part of the T-visa application process. I think this role for local law enforcement needs to be implemented carefully because it will prove to be extremely important. In particular, local law enforcement needs to understand how the Act defines a victim of trafficking. In general, anything we can do to enlist local

law enforcement in a collaborative effort to root out trafficking is going to be a great plus. Ultimately, the trafficker has to be prosecuted in a federal court in order for the federal penalties to apply, so early federal law enforcement involvement in a case remains a priority. We are encouraged that local law enforcement has now been provided with a larger role.

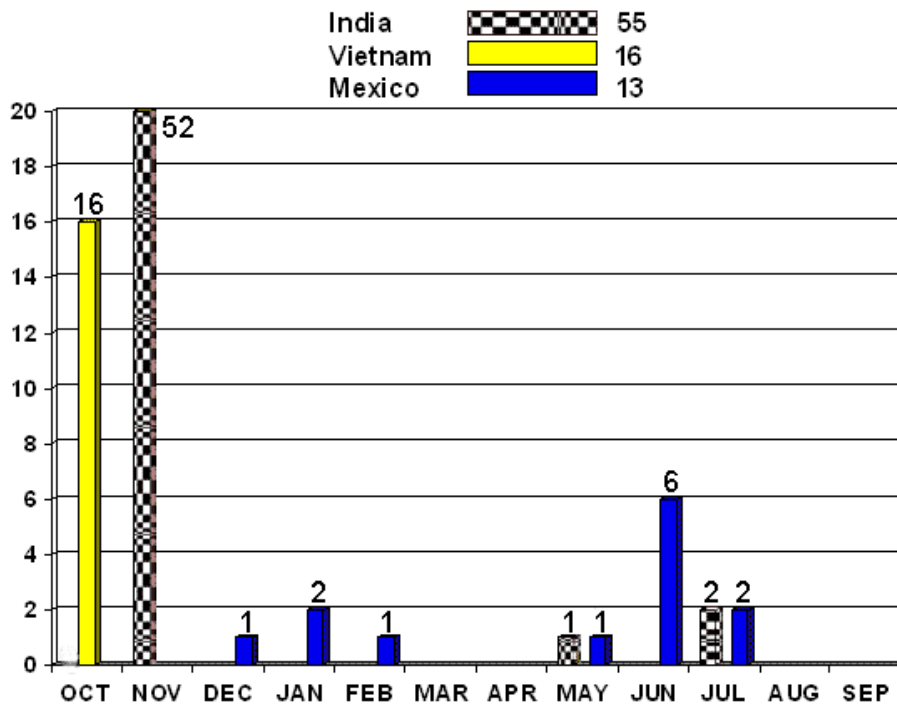
Trafficking Statistics FY 2003



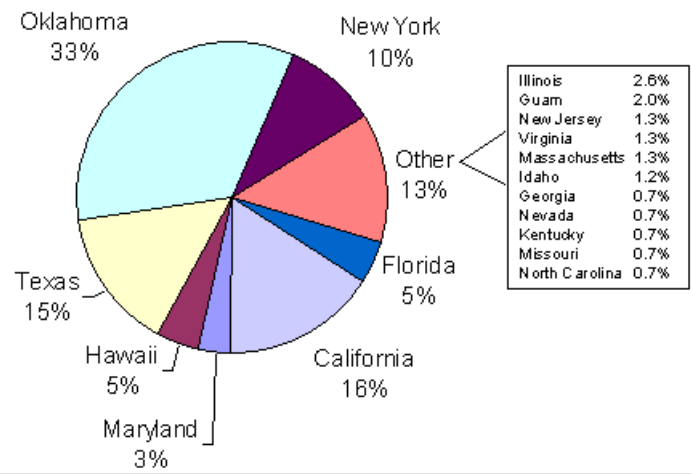
Trafficking Victim Country of Citizenship FY 2003



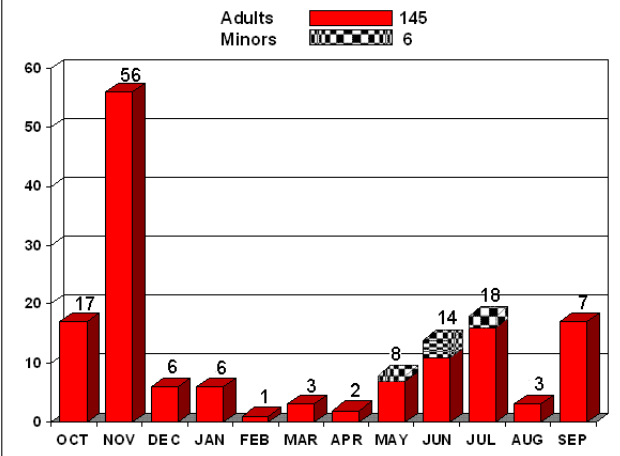
Breakdown of Top 3 Trafficking Victim Countries of Citizenship FY2003



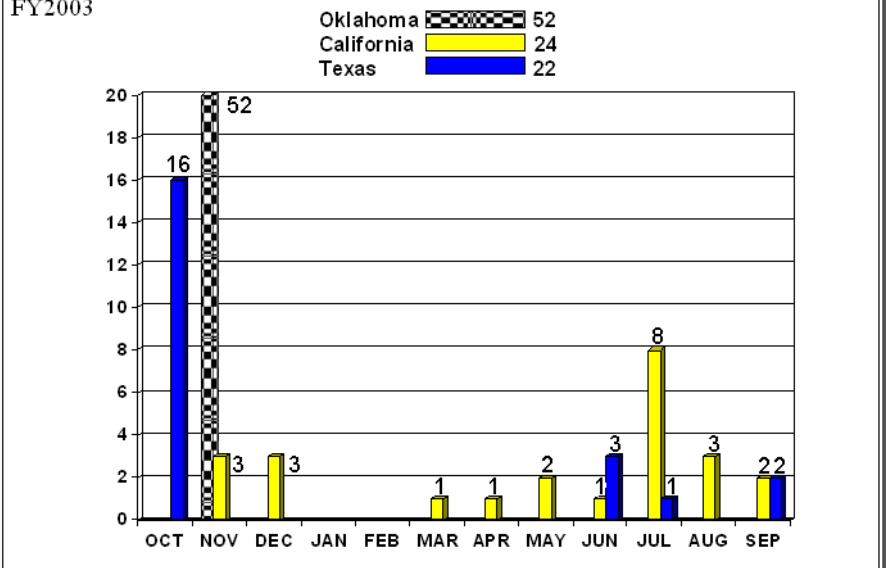
Geographic Distribution of Certification/Eligibility Letters



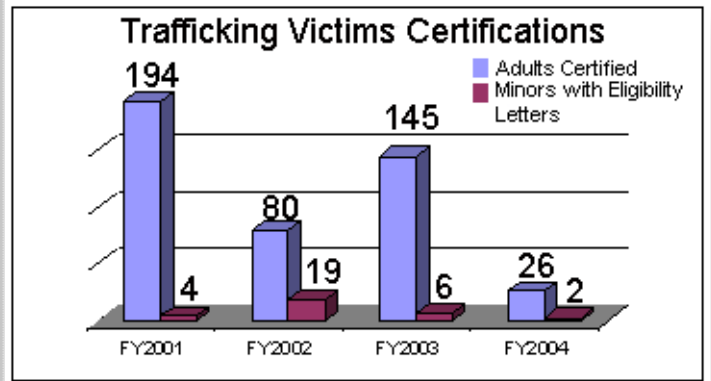
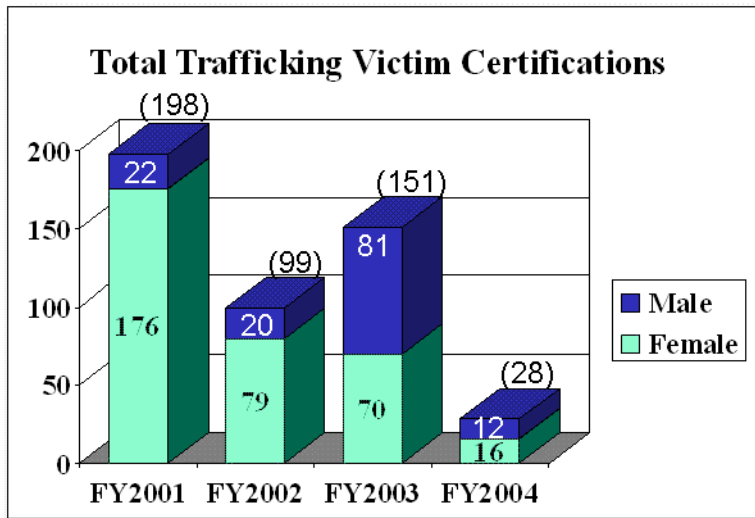
Age on Certification/Eligibility Date FY2003



Breakdown of Top 3 U.S. States where Certification/Eligibility Letters were Issued FY2003

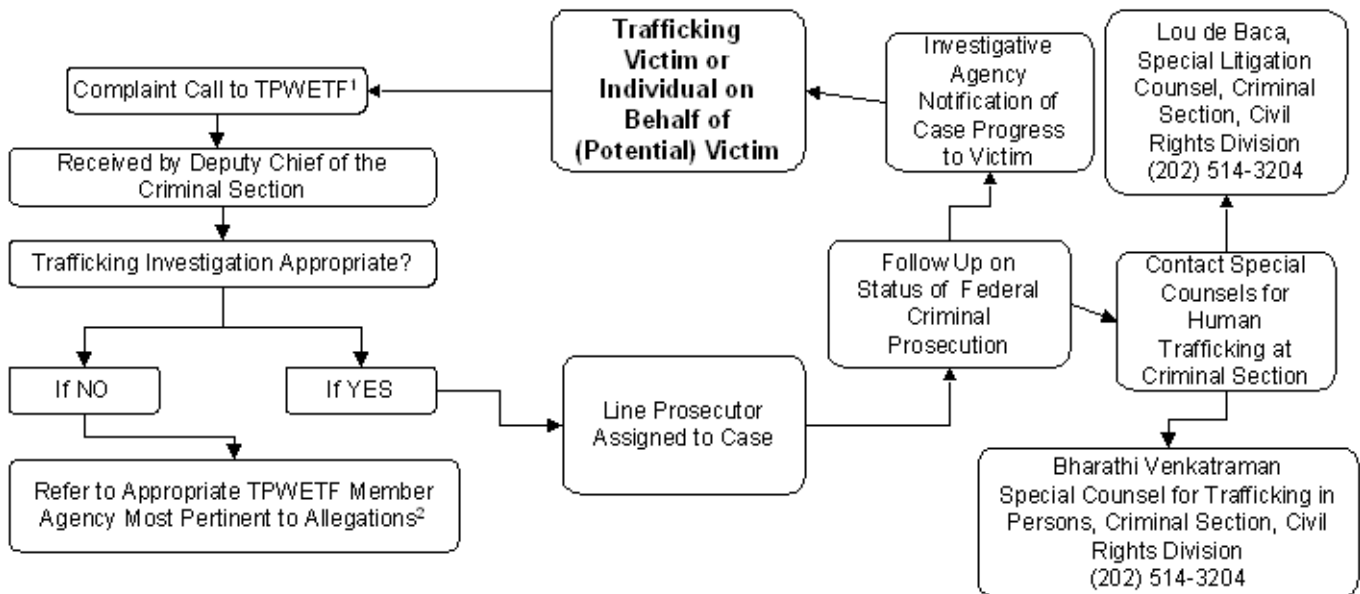


Trafficking Statistics FY 01-04



Overview DOJ Trafficking in Persons

Investigation and Prosecution Procedures Bringing Trafficking Complaints to DOJ

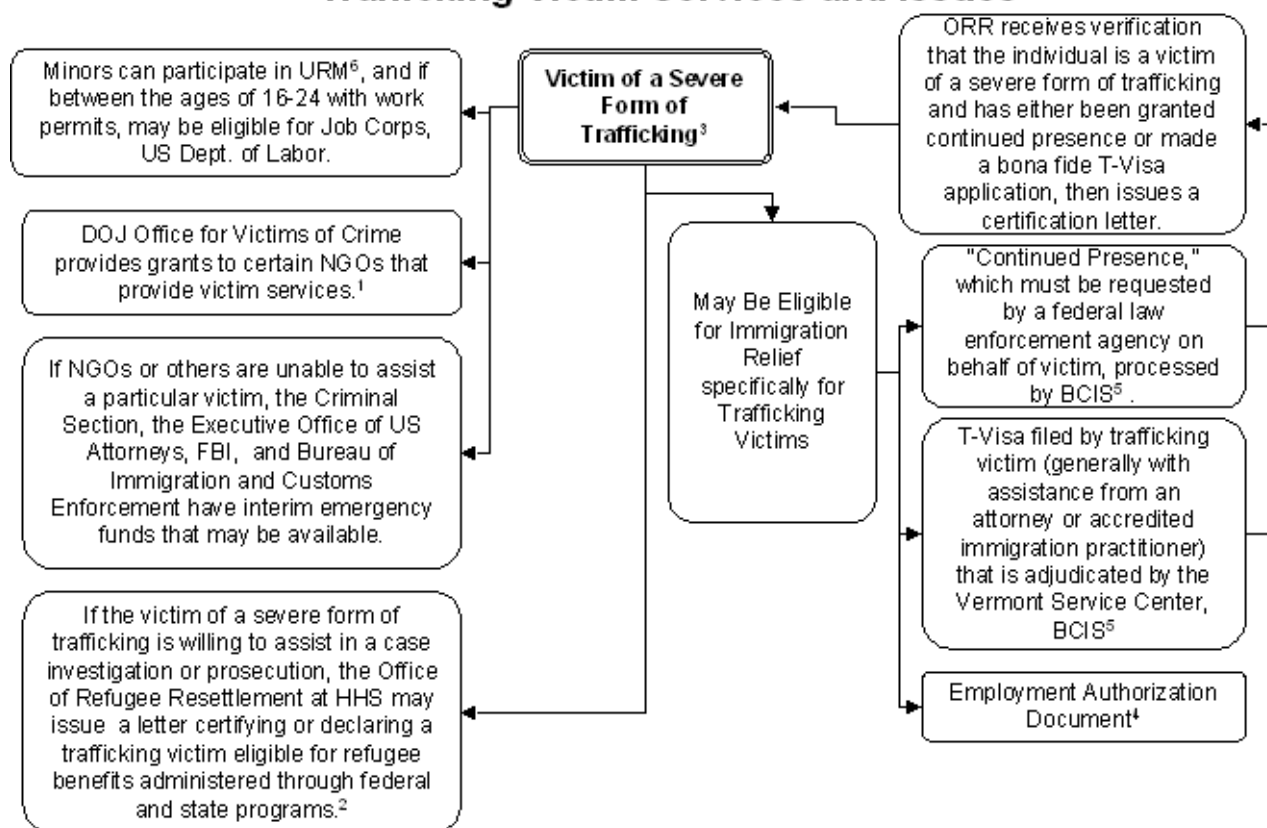


¹Trafficking in Persons and Workers Exploitation Task Force at the Criminal Section of the Civil Rights Division. Interpretation available for 150 languages and for those who are hearing impaired. TPWETF Complaint Line 1-888-428-7581

²Including US Dept Labor, the Equal Employment Opportunity Commission and the Office of Special Counsel for Immigration Related Unfair Employment Practices in the Justice Department.

Source: "Overview of Department of Justice Procedures Regarding Cases Involving Trafficking in Persons," US Department of Justice, Civil Rights Division, Criminal Section, 2003. <http://www.us.doj.gov/trafficking.htm>

Trafficking Victim Services and Issues



¹For a list of OVC grantees, see www.ojp.usdoj.GN/press.htm

²HHS also funds NGOs and match grant programs that provide services specifically for trafficking victims eligible for refugee programs. For a current list of HHS anti-trafficking program grantees and Match Grant programs across the US, call 202-481-4825.

³“Victim of a Severe Form of Trafficking” as defined in the Trafficking Victims Protection Act (“TVPA”), P.L. 106-386. As designated by the Office of Refugee Resettlement at HHS in consultation with the Attorney General, certification status entitles victims of a severe form of trafficking to the same benefits available to refugees (with the exception of the Reception and Placement Program). A victim of a severe form of trafficking is eligible for certification if he or she has (1) made a bona fide application for, or been granted, a T visa, or is a person who has been granted continued presence in the United States and (2) is willing to assist federal law enforcement. Minors are provided eligibility letters if deemed a victim of a severe form of trafficking and do not need to demonstrate a willingness to cooperate with law enforcement. Services may be available to victims of crimes who are not considered “victims of a severe form of trafficking.” Programs (including state crime victim assistance and compensation programs), services and assistance necessary for the protection of life and safety (e.g. crisis counseling, short-term shelter, mental health assistance) are available to all qualified crime victims. The individual may repatriate with assistance from DOS, the country of origin and IGOs/NGOs and may independently seek other immigration relief for which they may be eligible (e.g., asylum, U visa) by contacting an immigration attorney.

⁴Authorization to work in the United States (“EAD” or Employment Authorization Document).

⁵Department of Homeland Security Bureau of Citizenship and Immigration Services. (www.uscis.gov) (802) 527-4913 for T-Visas.

⁶Unaccompanied Refugee Minors Program, administered by the Department of Health and Human Services, Office of Refugee Resettlement.

Source: US Department of Justice, Civil Rights Division, Criminal Section

Useful Contact Numbers for Victims Services

Investigative Agencies

ICE, Department of Homeland Security
Victim Witness Headquarters <http://uscis.gov/graphics/fieldoffices.index.htm> 202-616-8737

FBI, Victims Witness Headquarters www.fbi.gov/hq/cid/victimassist/fbiresources/resources.thm 202-324-1339

Prosecuting Agencies

Criminal Section
Victims Witness Civil Rights Division www.usdoj.gov/crt/crim/tpwetf.htm 202-616-3807

Executive Office of U.S. Attorneys
Victim Witness/Law Enforcement Coordinating Committee www.usdoj.gov/usao/offices 202-616-6792

Victims Services Funding Agencies

Office for Victims of Crime Department of Justice www.ojp.usdoj.gov/ovc 202-305-1715

Office of Refugee Resettlement, Department of Health and Human Services www.acf.hhs.gov/programs/orr/index.htm 202-401-9246

NEWS BRIEFS

HUMAN TRAFFICKING IS ALERT TARGET

*Mesa, AZ
January 2004*

A recent article in the Arizona Republic featured the Arizona League to End Regional Trafficking (ALERT), an anti-trafficking coalition comprised of social service providers, law enforcement agencies, non-profit organizations, faith-based groups, and concerned citizens. ALERT recently conducted a trafficking workshop as part of the 13th Annual Arizona Interagency Farmworker Coalition Conference.

Melynda Barnhart, attorney and ALERT program specialist, presented an overview of human trafficking and distinguished it from human smuggling. She also offered strategies on and methods of victim identification and explained key provisions of the Trafficking Victims Protection Act (TVPA) and the Trafficking Victims Protection Reauthorization Act (TVPRA). The workshop aimed to better equip individuals with tools and knowledge to recognize and assist victims of trafficking. "It is very important for us to educate people who are on the front lines, who are in contact with the people...The more we can educate the people who are out there talking with (farm workers), the more we will be able to find trafficked persons," said Barnhart. For more information on ALERT, or issues relating to human trafficking, call the toll-free hotline: 1-877-76-ALERT.

TEXAS BECOMES THIRD STATE TO ENACT ANTI-TRAFFICKING LEGISLATION

*Dallas, TX
December 2003*

As of September 1st, 2003, Texas became the third state to enact a law

making it illegal to engage in trafficking in persons. The new law imposes the maximum penalty of life in prison for cases involving the death of victims or where victims are younger than 14 years old. While the Trafficking Victims Protection Act (TVPA) was enacted nationally in 2000, implementing and enforcing its provisions has not been a priority among law enforcement officials throughout Texas, argues Democratic state representative Lon Burnam, who was instrumental in establishing Texas anti-trafficking legislation. According to Burnam, there has been "an historical dysfunction and disconnect between national law enforcement and national law and state enforcement and state law."

Texas has witnessed extensive trafficking in recent years. Unidentified cases of human trafficking throughout the state are widespread, states Burnam, raising cause for concern. Burnam hopes that the new legislation will increase awareness among law enforcement officials and service providers, as well as result in a greater number of prosecutions, and expanded service provision. "Education about trafficking," notes Burnam, "is the key to change."

KOREAN SEX TRAFFICKING RING UNCOVERED IN COLORADO

*Denver, CO
December 2003*

While seeking passage to the United States, large numbers of Korean women have become victims of a Korean sex trafficking ring that reportedly funds more than 40 spas and massage parlors throughout Colorado. Women enslaved in these covert operation brothels initially sought smuggling services to the United States, and were forced into the sex industry upon their arrival. The crime syndicate funding the operations has been tied to numerous similar operations throughout the country, and is known to channel all funds to a centralized location.

While Colorado law enforcement has been working on the case since the summer of 2001, the case recently became public in December 2003. Investigations have revealed that victims endured harsh conditions that included being forced to live in the same rooms where they serviced clients. Brothel owners reportedly forced women to cut up and dispose of used condoms in order to avoid detection. If arrested, women were ordered to swallow condoms in order to prevent suspicion. Trafficking victims also made offers for sex using suggestive motions so that audio surveillance would have no record of any illicit behavior.

Because the investigation is still underway, Denver Police Chief Gerry Whitman refused to provide detailed information with regard to the operation. While there have been arrests, formal charges have not yet been brought in connection to this case.

TEXAS WOMAN SENTENCED TO 9 YEARS IN PRISON FOR TRAFFICKING CHARGES

*Austin, TX
December 2003*

A Mexican woman living in Texas was sentenced in federal court to 9 years in prison on charges related to trafficking, including: sex trafficking of children; transportation of minors for sexual activity; conspiracy to smuggle, transport and harbor illegal aliens; and importation of aliens for immoral purposes. Maricela Uresti-Martinez pled guilty in October to the above charges and will be deported to Mexico once her prison term is completed.

Martinez, 32, recruited teenage girls from Mexico, fraudulently promising that they could repay their smuggling debt of \$1,500 by working in a restaurant. Upon their arrival, the girls were forced work in a brothel run by Martinez. Violeta De Hoyos-Hernandez, 19, who reportedly assisted the operation after being a former victim of Martinez, also

pled guilty to conspiracy to smuggle aliens and has received a minimal sentence in exchange for cooperation with authorities involved in the case investigation. Hernandez has been in federal custody since August 2003, and will be deported to Mexico upon release.

UNICEF MENTIONS CHILD EXPLOITATION AMONG ITS TOP CONCERNS FOR 2004

*New York, NY
December 2003*

On December 31, 2003, UNICEF released its top five concerns for children in 2004. These include: child survival, HIV/AIDS, war, exploitation, and insufficient investment. Carol Bellamy, executive director of UNICEF, noted that an estimated 1.2 million children are trafficked each year, 2 million children are exploited through the commercial sex trade, and more than 300,000 children are forcibly conscripted as soldiers throughout the world.

Bellamy highlighted education as a key prevention measure with regard to trafficking, poverty, and low child survival rates. Too many nations, she argued, have not made children a priority in terms of policy and program development. Bellamy called on governments to create new education programs geared toward children, emphasizing that children represent the future of the world and therefore should be taken seriously.

INTERNATIONAL CAMPAIGN AGAINST CHILD TRAFFICKING (ICACT) DECLARES DECEMBER 12, 2003: "GLOBAL DAY AGAINST CHILD TRAFFICKING"

*Osnabrück, Germany
December 2003*

The International Campaign against Child Trafficking (ICACT) declared December 12, 2003, "Global Day Against Child Trafficking", in response

to the alarming upward trend of children being forced into exploitative labor conditions throughout the world. ICACT partners in Latin America, Europe, West Africa, India, Southeast Asia, and Southern Africa have reported instances of child trafficking in labor situations ranging from forced military conscription and sexual exploitation to sweatshop and factory labor.

As a means of commemorating the Global Day Against Child Trafficking, ICACT established advocacy goals aimed at combating child trafficking on a global scale. Their agenda includes the following items:

- Create global awareness of the trafficking of children
- Advocate for the ratification of the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children
- Lobby the United Nations to designate 2004 the "International Year Against Human Trafficking"
- Advocate for policy, law reform, and anti-trafficking legislation based on international legal frameworks and instruments to combat child trafficking
- Advocate for regional and international cooperation and extraterritorial jurisdiction for the investigation, prosecution, and sentencing of traffickers
- Advocate for victim support services, including rescue, counseling, and repatriation
- Facilitate the involvement of youth in global anti-trafficking initiatives

STATE DEPARTMENT'S INTERAGENCY TASK FORCE ON TRAFFICKING IN PERSONS REVIEWS PROGRESS

*Washington, D.C.
December 2003*

The United States Department of State Interagency Task Force on Trafficking in Persons met on December 8, 2003 to review its progress in the effort to combat human trafficking and to discuss how the \$50 million pledged by President Bush for anti-trafficking initiatives will be allocated in 2004. Task Force members also discussed the facilitation of new partnerships through grant-making procedures that will target sexual trafficking and tourism in key geographic regions.

Secretary of State Colin Powell convened the meeting, which was attended by Attorney General John Ashcroft, Secretary of Health and Human Services Tommy Thompson, as well as other key leaders. The Interagency Task Force is comprised of members of the Departments of State, Justice, Health and Human Services, Labor, and Homeland Security, the CIA, and the National Security Council, among other agencies.

PALM BEACH POST SERIES EXPOSES SLAVERY AMONG MIGRANT FARMWORKERS

*Palm Beach, Florida
December 2003*

A 3-part series entitled, "Used and Abused", "How they Come", and "The Real Cost," was featured by the Palm Beach Post, drawing attention to the widespread trend of slavery among migrant agricultural workers in Florida.

The series reports on more than 9 months of extensive research on slavery in this region, documenting the living conditions in Mexican villages from which workers are trafficked, their dangerous journey into the U.S., and the slavery-like conditions under which they

are forced to live and work. The series explores various push and pull factors that contribute to migrants' vulnerabilities, such as poverty, restrictive immigration policies, fraud and coercion, and also highlights specific cases that have resulted in trafficking convictions. *The full series can be viewed at:* www.palmbeachpost.com/modernday-slavery/content/moderndayslavery/

CONFERENCE ON HUMAN TRAFFICKING CONDUCTED BY THE FREEDOM NETWORK USA

*New York, NY
December 2003*

On December 1-2, 2003, The Freedom Network USA hosted a conference on human trafficking at the Association of the Bar of the City of New York, bringing together human rights activists, service providers, and policy makers from across the country. The conference focused on the progress of implementation of the Trafficking Victims Protection Act (TVPA) since it was enacted in 2000. While the TVPA has created avenues through which victims can receive assistance, presenters at the conference emphasized the need for a more unified approach to service provision and prosecutions, particularly in light of insufficient resources to support victims pending the prosecution of a case.

TEENAGE GIRLS ENSLAVED IN SEX TRAFFICKING SCAM AFTER BEING SMUGGLED TO NEW YORK CITY FROM MEXICO

*New York, NY
November 2003*

An 18-year old Mexican woman found herself a victim of trafficking after seeking the help of 22-year-old David Perez, who promised to help find her mother residing in Queens, New York. Claiming to be the woman's cousin, Perez helped her and two other women cross the desert and fly to New York. Upon their arrival,

Perez held the women captive for twelve days, during which time he beat, raped, and verbally abused them before arranging their sale to a brothel in Chinatown.

At the brothel, the women were forced to work from 11 a.m.-1 a.m. each day, and hand all their earnings over to Perez, who continued to beat and threaten them. The women testified that they were too afraid to escape. After one particularly brutal beating, however, they managed to escape and found assistance from a stranger who took them to the police. Perez now faces multiple charges, including kidnapping, rape, and promoting prostitution.

LAW ENFORCEMENT AND SOCIAL SERVICE PROFESSIONALS IN HAWAII ATTEND SEMINARS ON HUMAN TRAFFICKING

*Honolulu, HI
November 2003*

A seminar series on human trafficking took place in Honolulu, Hawaii from November 17-19 for law enforcement officials and social service providers. Sponsored by The Hawaii Anti-Trafficking Task Force, the conference focused on awareness raising in order to promote victim identification, strengthen service provision, and increase the number of prosecutions of trafficking cases. Nancie Caraway, head of the Task Force, notes that trafficking is a significant problem in Hawaii, due to the state's prime location on the transit route from Asia. The underground tactics used by perpetrators make it difficult to determine the exact scope and magnitude of trafficking.

Jennifer Stanger, of the Los Angeles-based Coalition to Abolish Slavery and Trafficking (CAST), led one of the sessions, and noted that psychological coercion is a primary tactic used by traffickers to deter victims from escaping. Stanger compared this form of coercion to that experienced by victims of domestic violence. Stranger also high-

lighted the variety of labor situations in which trafficking takes place, as well as the prevalence of both male and female victims. Other topics at the conference included services available to victims of trafficking as well as victim identification strategies.

UNITED NATIONS CONFERENCE FOCUSES ON HUMAN TRAFFICKING THROUGHOUT CENTRAL AND SOUTH AMERICA

*Bogota, Colombia
November 2003*

The United Nations Office on Drugs and Crime (UNODC) country offices for Ecuador and Colombia sponsored a conference on November 19-21 entitled: Trafficking in Persons: Theory and Practice in Regional and International Cooperation, in Bogota, Colombia. The conference was attended by UNODC experts, IOM, and Colombian agencies as well as government officials from Panama, Brazil, Costa Rica, Cuba, the Dominican Republic, Jamaica, Sweden, and the Czech Republic.

Agenda items included an overview of trafficking trends as well as a discussion of anti-trafficking best practices used in other regions of the world, such as those implemented by the Economic Community for West African States (ECOWAS), the Czech Republic, and by projects in the Mekong sub-region of Thailand. This conference marked the first event organized under the initiative: "Combating Trafficking in Persons in Colombia," a collaborative effort between the UNODC and the Ministry of Interior Justice in Colombia. Other items of discussion included legal remedies and prosecution tactics, as well as a discussion of the United Nations Convention Against Transnational Organized Crime, which includes a protocol aimed at fighting trafficking in persons.

CAMBODIA DEPORTS U.S. CITIZEN TO FACE CHILD SEX CHARGES AT HOME

*Phnom Penh, Cambodia
November 2003*

A 56-year old U.S. citizen has been deported from Cambodia to face charges of sex offenses committed against minors in the United States. Garry Evans Jackson was arrested on September 1, 2003 for having sexual relations with 3 underage boys, and was held in Cambodia until November 14, 2003 prior to deportation. Jackson is the second U.S. citizen to face charges related to sexual tourism in Cambodia since the PROTECT Act was enacted in April 2003. The PROTECT Act makes sex offenses against minors committed overseas punishable by law in the United States. If convicted, Jackson could face up to 30 years in prison in addition to fines.

Children's rights activists in Cambodia welcomed Jackson's deportation as a positive step towards combating the commercial sex trade industry, in the hopes that the threat of prosecution will deter perpetrators and also encourage victims to come forward.

THREE FORMER MIGRANT AGRICULTURAL WORKERS RECEIVE THE 2003 ROBERT F. KENNEDY HUMAN RIGHTS AWARD (HRA)

*Washington, D.C.
November 2003*

On November 20, 2003, three former migrant agricultural workers, Julia Gabriel, Lucas Benitez, and Romeo Ramirez, now leaders of the Florida-based advocacy group, Coalition of Immokalee Workers (CIW), received the 2003 Robert F. Kennedy Human Rights Award (HRA) at a ceremony in Washington, D.C. for their efforts to improve working conditions for migrant agricultural laborers throughout the United States. Mrs. Robert F. Kennedy presented the awards, and Senator Edward Kennedy hosted the ceremony. In addition to conducting

ongoing advocacy efforts and rescuing over 1,000 workers from situations of forced agricultural labor, the three award recipients played a crucial role in exposing five separate slavery rings throughout Florida. In these cases, migrant workers were denied wages, subjected to physical violence and harsh living conditions, and were forced to work under armed guard. Last year, a U.S. District court sentenced three traffickers involved in one of the slavery rings to 34 years in prison on the grounds of slavery and extortion. CIW is also involved in a current campaign aimed at forcing Taco Bell to provide fair wages, promote better working conditions for its tomato pickers, and discontinue subcontracting out to companies that keep workers in slave-like conditions. More information on CIW, including the Taco Bell campaign can be found online at: www.ciw-online.org.

U.S. REPRESENTATIVE TO THE UN COMMISSION ON THE STATUS OF WOMEN ADDRESSES HUMAN TRAFFICKING IN A SPEECH TO THE UNITED NATIONS GENERAL ASSEMBLY

*New York, NY
October 2003*

In a speech to the United Nations General Assembly, Ambassador Ellen Sauerbrey, U.S. Representative to the U.N. Commission on the Status of Women, described U.S. efforts to advance the status of women since the Beijing Women's Conference in 1995. Among these endeavors, Sauerbrey highlighted initiatives by the U.S. government to combat human trafficking, as women comprise the largest percentage of trafficking cases worldwide. Collectively, the U.S. Department of State, Department of Labor, and the United States Agency for International Development have supported more than 110 anti-trafficking projects in over 50 countries. Noting that the human trafficking industry affects an estimated 800,000-900,000 victims each year, Sauerbrey stated that the problem

"can only be solved by concerted and cooperative international efforts." As an example of effective international cooperation, Sauerbrey mentioned the PROTECT Act, a recently-enacted U.S. law that criminalizes sexual tourism engaged in by US citizens while traveling overseas.

RESOURCES

RECENT MEDIA PRODUCTIONS

PUBLIC SERVICE ANNOUNCEMENT ON TRAFFICKING

*International Media NGO Internews,
January 15, 2003*

*Listen to or view the PSA at:
www.internews.org/ge/eng/psa/*

Funded by the International Organization for Migration, the Public Service Announcement on Trafficking was aired in the Republic of Georgia on the State "Channel I" and the Broadcasting Company "Rustavi 2". Targeting women between the ages of 18 and 35, the PSA was scheduled to be broadcast in order to reach specific audiences. The PSA uses an animated depiction of Pinocchio being tricked by a donkey to elucidate the deceptive strategies utilized by traffickers.

"THE DAY MY GOD DIED" - DOCUMENTARY ABOUT CHILD SEX SLAVERY IN BOMBAY

*Directed and Produced by Andrew Levine, Produced by GERALYN WHITE DREYFOUS and Winona Ryder
First Released March 1, 2003*

For more information contact Andrew Levine Productions at (435) 655-8319, Levine@xmission.com, visit his website at www.thedaymygoddied.com, or visit Maiti Nepal's website at www.maitinepal.org

"*The Day My God Died*," is a feature-length documentary about the trafficking of young Nepalese girls into sex slavery, and the leading NGOs working to abolish this practice. The documentary exhibits footage from brothels in Bombay and follows the lives of girls as young as seven years old who have been sold into prostitution. Directed by Andrew Levine, produced by Winona Ryder, and narrated by Tim Robbins and Winona Ryder, the film was recently screened in New York City on December 13, 2003 at Zanny's Café, 975 Columbus Avenue, New York, NY. VHS copies can be ordered by contacting Andrew Levine Productions.

RECENT PUBLICATIONS AND REPORTS

REPORT: IMMIGRANTS, REFUGEES AND MINORITIES

Lawyers Committee for Human Rights, September 2003

Read the excerpted chapter at:
www.ilw.com/lawyers/articles/2003,1224-acer.pdf

Read the full report at:
www.lchr.org/us_law/loss/assessing/assessingnewnormal.htm

Visit the Lawyers Committee for Human Rights website at: www.lchr.org

Eleanor Acer et al. of The Lawyers Committee for Human Rights documents the continuing erosion of basic human rights protections under US law and policy since September 11 in an excerpted chapter on immigrants, refugees, and minorities of a report entitled "Assessing the New Normal: Liberty and Security for the Post-September 11 United States."

US DEPARTMENT OF JUSTICE LAUNCHES ITS MONTHLY ANTI-TRAFFICKING NEWS BULLETIN

US Department of Justice Civil Rights Division, January 2004, Volume 1, No. 1

To read the full text of the bulletin visit the US Department of Justice website at:
www.usdoj.gov

This news bulletin primarily provides information on the US Department of Justice's efforts to eliminate human trafficking and is intended to facilitate communication throughout the anti-trafficking community. This issue discusses the appointment of T. March Bell as Senior Special Counsel for Trafficking Issues to "provide additional policy leadership" on human trafficking cases, and highlights US Assistant Attorney General Acosta's keynote address to the December 8, 2003 anti-trafficking conference in Santo Domingo. Further, the bulletin announces the presentation of the Path Breakers Award to the Dominican Republic for its work to eliminate human trafficking, enactment of an anti-trafficking statute, and recent prosecutions in human trafficking cases. Additionally, the bulletin mentions three trafficking survivors from the Coalition of Immokalee Workers, Julia Gabriel, Romeo Ramirez, and Lucas Benitez, who received the Robert F. Kennedy Human Rights Award for their outstanding work to fight trafficking.

CHILD SOLDIER USE 2003 A BRIEFING FOR THE 4TH UN SECURITY COUNCIL OPEN DEBATE ON CHILDREN AND ARMED CONFLICT

Coalition to Stop the Use of Child Soldiers, January 16, 2004

Read the full report at: www.child-soldiers.org/cs/childsoldiers.nsf/fffd058ae1d99d80256adc005c2bb8/2e8d17b9344ab30780256e1c004b9fb2?OpenDocument

For further information contact: The Coalition to Stop the Use of Child Soldiers

2-12 Pentonville Road, 2nd floor
London N1 9HF, United Kingdom
Tel: +44 207 713 2761
Fax: +44 207 713 2794

Email: info@child-soldiers.org
Website: www.child-soldiers.org

The report to the UN Security Council, released by the Coalition to Stop the Use of Child Soldiers, provides information on the recruitment and use of child soldiers in 18 countries in Asia, Latin America and the Middle East, including country profiles of state and non-state armed groups, demobilization and child protection programs, and recommendations to the UN Security Council to end the recruitment and use of child soldiers.

TRAFFICKING IN PERSONS: AN ISSUE OF HUMAN SECURITY

The Protection Project The Johns Hopkins University School of Advanced International Studies

Read the full report at:
www.ksg.harvard.edu/gei/Text/Background_Papers/Clark_Trafficking_in_Persons.pdf

Visit the Protection Project website at:
www.protectionproject.org

Visit the Global Equity Initiative at:
www.fas.harvard.edu/~acgei/

Michelle Ann Clark, co-director of the Protection Project at The Johns Hopkins University School of Advanced International Studies, has written a paper entitled, Trafficking in Persons: An Issue of Human Security. Commissioned by the Global Equity Initiative at the Harvard University Kennedy School of Government, this paper provides an overview of contributing factors to the prevalence of human trafficking as well as a discussion of legislative approaches that have been implemented to combat the issue.

**VITAL VOICES NEWSLETTER
HIGHLIGHTS MENTAL HEALTH NEEDS
OF TRAFFICKING SURVIVORS**
Vital Voices Global Partnership, Trafficking Alert, December 2003

Read the full Trafficking Alert at:
www.vitalvoices.org/programs/anti-trafficking/ta_us_1203

To subscribe to Vital Voices Trafficking Alert, visit: www.vitalvoices.org

In its December 2003 bi-monthly US edition newsletter "Trafficking Alert," Vital Voices Global Partnership examines the particular needs of and trauma experienced by trafficking victims. The Alert also discusses a mental health approach to effective cooperation between trafficked persons and law enforcement officials.

**REPORT ON TRAFFICKING IN SOUTH
EASTERN EUROPE**
UNICEF UK, November 2003

Read the full report at:
www.osce.org/odihr/documents/trafficking/trafficking-see_2003update.pdf

A report published by UNICEF, the Office of the UN High Commissioner for Human Rights (UNHCHR) and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) entitled "Trafficking in Human Beings in South Eastern Europe" examines the trafficking situation in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Serbia and Montenegro (including the UN administered province of Kosovo), Moldova and Romania from November 2002 to April 2003.

**INDEPENDENT EXPERTS' REPORT TO
THE SECRETARY-GENERAL OF THE
OSCE AND THE COUNCIL OF EUROPE
ON THEIR VISIT TO PODGORICA
(SERBIA AND MONTENEGRO)**
*OSCE, Council of Europe
November 27, 2003*

Read the full report at:
www.osce.org/news/show_news.php?id=3718

For further information contact:
Richard Murphy
Spokesperson/Head of Press and Public Information, OSCE Secretariat
Kaerntner Ring 5-7
1010, Vienna, Austria
Tel: +43 664 548 53 89 (mobile), + 43 1 514 36 105
Fax: +43 1 514 36 105

E-mail: Richard.Murphy@osce.org
or press@osce.org

A report compiled by independent experts appointed by the OSCE and the Council of Europe to examine a recent human trafficking case in Montenegro involving a trafficked woman forced into prostitution is now available on the OSCE website www.osce.org, along with a response from the Montenegrin Government.

**STATE OF THE WORLD'S CHILDREN
2004**
UNICEF, December 11, 2003

Read the full report and related information at:
www.unicef.org/sowc04/index.html

For further information, please contact:
Allison Hickling, UNICEF New York,
+1 212 326 7224, ahickling@unicef.org,
or Alfred Ironside, UNICEF New York,
+ 212 326 7261, aironside@unicef.org

This report presents the case and strategic measures for advancing girls' education as it relates to development goals in nations worldwide. It further discusses education as a "protective environment"

where literate girls can avoid "hazardous labour, sexual exploitation, and trafficking," in chapter 4 of the report "The Multiplier Effect of Educating Girls."

**REPORT DOCUMENTS LAW
ENFORCEMENT EFFORTS TO COMBAT
INTERNET SEX CRIMES AGAINST
CHILDREN**
PR Newswire, November 10, 2003

Read the full report at:
www.missingkids.com/missingkids/servlet/ResourceServlet?Language-Country=en_US&PageId=1456
To order a copy call: 1.800.843.5678

Commissioned by the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention and the National Center for Missing and Exploited Children:
www.missingkids.com, the Crimes Against Children Research Center at the University of New Hampshire has completed a report entitled: "Internet Sex Crimes Against Minors: The Response of Law Enforcement." Among other important findings, the report documents successful law enforcement efforts to combat internet sex crimes against children.

**FIGHTING URBAN CRIME: THE
EVOLUTION OF FEDERAL-LOCAL
COLLABORATION" (NCJ 197040)**
Department of Justice, December 2003

Read the full report at:
www.ncjrs.org/pdffiles1/nij/197040.pdf
or
www.ncjrs.org/txtfiles1/nij/197040.txt

Order a copy at:
<http://puborder.ncjrs.org/>

This DOJ report examines the rise of federal-local collaboration through various types of collaborations such as task forces and grant-funded programs. The report also highlights advantages to such collaborative efforts.

**THE MIGRATION-TRAFFICKING
NEXUS: COMBATING TRAFFICKING
THROUGH THE PROTECTION OF
MIGRANT'S HUMAN RIGHTS**

*Anti-Slavery International
November 2003*

Read the full report at:

[www.antislavery.org/homepage/
resources/
the%20migration%20trafficking%20ne-
xus%202003.pdf](http://www.antislavery.org/homepage/resources/the%20migration%20trafficking%20nexus%202003.pdf)

This report examines trafficking in the context of migrant rights issues, the challenges to prosecuting human traffickers, and international migration and international protection mechanisms for migrants.

**IRREGULAR MIGRATION AND
TRAFFICKING IN WOMEN: THE CASE
OF TURKEY**

*International Organization for
Migration (IOM), November 2003*

Read the full report at:

[www.iom.int/iomwebsite/Publication/
ServletSearchPublica-
tion?event=detail&id=2871](http://www.iom.int/iomwebsite/Publication/ServletSearchPublication?event=detail&id=2871)

This report provides an overview of the human trafficking situation in Turkey. It examines private and public attitudes toward trafficking, the roles and attitudes of public officials, and attempts that have been made to address the issue legislatively. In conclusion, the report proposes policy measures and alternative remedies to addressing this phenomenon.

RECENT PRESS RELEASES

**OVC BULLETIN EXAMINES PROVIDES
PARTICULAR INFORMATION ON STATE
LEGISLATIVE APPROACHES TO**

FUNDING FOR VICTIMS' SERVICES
*US Department of Justice Office for
Victims' Services, Bulletin #9
December 2003*

Read the full text at:

[www.ojp.usdoj.gov/ovc/publications/
bulletines/legalseries/bulletin9/](http://www.ojp.usdoj.gov/ovc/publications/bulletines/legalseries/bulletin9/)

Back order copies at:

<http://puborder.ncjrs.org/>

The Office for Victims of Crime of the United States Department of Justice has released a new document detailing legislative approaches to funding victims' services. This bulletin provides an overview of current issues relating to victim compensation, and discusses some of the difficulties that emerge while seeking to acquire sufficient funding sources. The bulletin also discusses ways in which various states have used fees, taxes, and crime specific surcharges in order to fund victims' services.

**STATEMENT BY SECRETARY OF
HEALTH AND HUMAN SERVICES
TOMMY THOMPSON ON THE
TRAFFICKING VICTIMS PROTECTION
REAUTHORIZATION ACT OF 2003**

*US Department of Health and Human
Services News Release
December 22, 2003*

Read the full press release at:

[www.hhs.gov/news/press/2003pres/
20031222.html](http://www.hhs.gov/news/press/2003pres/20031222.html)

Read the Trafficking Victims Protection
Reauthorization Act of 2003 at

[www.whitehouse.gov/omb/legislative/
sap/108-1/hr2620sap-h.pdf](http://www.whitehouse.gov/omb/legislative/sap/108-1/hr2620sap-h.pdf)

Tommy G. Thompson, Secretary of the US Department of Health and Human Services, commented on the Trafficking Victims Protection Reauthorization Act

(HR 2620) that authorizes more than \$200 million over the next two years towards efforts to combat the trafficking in persons in the U.S. and worldwide.

**DESPITE LAWS, SLAVERY HAS STILL
NOT BEEN ELIMINATED, ANNAN SAYS**
UN News Centre, December 2, 2003

Read the full press release at:

[www.un.org/apps/news/stor-
yAr.asp?NewsID=9034&Cr=sla-
very&Cr1=](http://www.un.org/apps/news/storyAr.asp?NewsID=9034&Cr=slavery&Cr1=)

UN Secretary-General Kofi Annan delivered a message on the International Day to Abolish Slavery that the days of slavery are not over, asserting human trafficking as a modern-day form of slavery. Annan called on all States to ratify the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the UN Protocol against the Smuggling of Migrants by Land, Air and Sea, both of which supplement the UN Convention against Transnational Organized Crime. The Secretary-General also encouraged States to contribute funds to the UN Voluntary Fund on Contemporary Forms of Slavery.

**COOPERATION AGREEMENT TO
COMBAT TRAFFICKING IN HUMAN
BEINGS**

*International Organization for Migra-
tion (IOM) News Brief, November 14,
2003*

For more information contact:

IOM Bogotá, Zulma Serrano at
zserrano@iom.org.co
Tel: 57.1.622.7774.

Read the full press release at:

[www.iom.int/en/news/
pbn141103.shtml#item3](http://www.iom.int/en/news/pbn141103.shtml#item3)

The IOM signed a technical assistance agreement with Colombia's National Public Prosecutor's Office to prevent human trafficking, protect trafficked persons and tighten legal mechanisms for

the prosecution of traffickers. The press brief highlights a recent increase in cases of trafficked persons out of Colombia. The agreement also sets forth the creation of a national database to track occurrences and details of trafficking cases brought to authorities.

CHILDREN AS SLAVES OF THE 21ST CENTURY: TERRE DES HOMMES CALLS FOR AN INTERNATIONAL DAY AGAINST CHILD TRAFFICKING

*Terre des Hommes News Brief
December 11, 2003*

Read the full brief at:

www.terredeshommes.org/en/news/brief.asp?noid=PRE155567

For more information, contact:

Salvatore Parata
EU Liaison Office, Brussels
Tel:+32.2.743.87.96,+33.6.82.14.56.62.

In an open letter to UN Secretary-General Kofi Annan, International Federation Terre des Hommes, a child rights advocacy group based in Geneva calls for an international day against trafficking at the UN level. The organization encourages increased UN involvement in developing international coordination mechanisms to enhance protection for trafficking victims and appeals to policy makers to ratify international instruments such as the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, to Combat Trafficking in Human Beings, which would criminalize child trafficking consistent with the standards of the UN Convention on the Rights of the Child.

ANNAN CALLS FOR UN MIGRATION AGENCY

United Nations, November 22, 2003

Read the full press release at:

www.unhcr.ch/cgi-bin/teXis/vtx/home/+owwBmNeIGspwwwowwwwwwwwh

FqnN0bItFqnDni5AFqnN0bIcFq1BGw hhoqAoD-taNdVa+XXvDzmxwwwwww1FqmR bZ/opendoc.htm

U.N. Secretary-General Kofi Annan endorsed the creation of a global agency to address the wide range of issues surrounding international migration, including human trafficking. Admitting that he did not expect to create the agency during his term, Annan welcomed an initiative by 11 countries including Sweden and Switzerland, to form a commission and conduct preliminary analysis on the numerous factors that affect global migration.

TRAFFICKING EMERGING AS HUMAN RIGHTS ISSUE OF 21ST CENTURY

*US Department of State, International Information Programs, Washington File
December 9, 2003*

Read the full press release at:

<http://usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2003&m=December&x=20031209170935esrom0.3173944&t=usinfo/wf-latest.html>

John Miller, director of the US State Department's Office to Monitor and Combat Trafficking in Persons, spoke to reporters at the Foreign Press Center in Washington on trafficking as the emerging human rights topic of the 21st century. Miller discussed linkages between human trafficking and transnational organized crime and identified sex tourism as the perpetuating factor behind human trafficking. Miller also attributed the rise of trafficking in part to "complicit" foreign governments who "look the other way" when it comes to human trafficking.

MANUALS, FACT SHEETS AND OTHER RESOURCES

IDENTIFICATION AND LEGAL ADVOCACY FOR TRAFFICKING VICTIMS

NYC Service Network for Trafficked Persons, 2003

To obtain a copy contact Gabriella Villareal at Safe Horizon at: gwillareal@safehorizon.org

This resource, prepared by the New York City Service Network for Trafficked Persons Legal Subcommittee, provides legal guidance for immigration specialists and social service providers who are helping trafficking victims through the T-visa application process.

OVC'S ONLINE DIRECTORY OF CRIME VICTIM SERVICES

For more information, call: The OVC Resource Center at 1-800-851-3420 (TTY 1-877-712-9279) or visit: <http://ovc.ncjrs.org/findvictimservices>

The US Department of Justice Office for Victims of Crime (OVC) has created a new online Directory of Crime Victim Services, linking crime victims and victim service providers to non-emergency assistance via a 24-hour hotline. OVC's online directory can be searched by location, type of victimization, agency type, and available services.

LEGISLATION & CASELAW

President Bush Signs Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003

*Washington, D.C.
December 2003*

On December 19, 2003, President Bush signed HR 2620, the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2003, renewing and expanding upon the Trafficking Victims Protection Act (TVPA) of 2000. The TVPRA is an effort to build upon the TVPA and address some gaps in victim protection and the prosecution of traffickers. The TVPRA aims to intensify efforts to prevent trafficking, enhance victim protections, heighten prosecutions, and improve the government's response to trafficking.

First, the TVPRA strives to enhance the prevention of human trafficking by providing for border interdiction outside the U.S., promoting public information programs, and combating international sex tourism. Border interdiction outside the U.S. will include providing grants to foreign NGOs that provide transit shelters at key border crossings and help train survivors to educate and train border guards. The government will also promote public information programs that inform vulnerable populations overseas and increase awareness in destination countries. Furthermore, the government will ensure the development and dissemination of materials to alert travelers that sex tourism is illegal and will be prosecuted.

Second, the TVPRA strives to enhance protections for trafficking victims. Among the changes is the ability of the Secretary of Health and Human Services to consider statements by state and local law enforcement regarding the victim's compliance with reasonable requests for assistance when certifying the victim.

The TVPRA also provides a civil remedy for victims to sue their traffickers in federal court. In addition to amending portions of the TVPA, the TVPRA also amends portions of the Immigration and Nationality Act (INA). Specifically, it eliminates the requirement that victims between the ages of 15-18 must cooperate with law enforcement in order to obtain T-Visa status. It also adds siblings that are unmarried and under the age of 18 as potential T status derivatives of victims of severe trafficking under 21 years of age. Moreover, it creates age-out protections for certain beneficiaries under the age of 21 at the time of filing of T-visa applications.

Third, the TVPRA strives to enhance the prosecution of traffickers by allowing the enforcement of the TVPA and TVPRA in trafficking cases involving foreign commerce or occurring within maritime or territorial jurisdictions of the U.S. The TVPRA further provides that certain acts involving trafficking will also be grounds for federal Racketeer Influenced and Corrupt Organization (RICO) charges.

Fourth, the TVPRA strives to improve the government's response to trafficking. This effort includes requiring an annual report on the progress of federal agencies' implementation of the TVPA and TVPRA. It also designates the Director of the State Department Office to Monitor and Combat Trafficking as an Ambassador-at-large to draw international attention to the governments' efforts to combat trafficking. It further requires the creation of a Special Watch List to keep pressure on countries that are struggling to meet minimum standards, regardless of their tier placement. Additionally, the TVPRA encourages research initiatives to advance the objectives of the TVPA and TVPRA and prohibits the use of U.S. funds to promote, support, or advocate for the legalization or practice of prostitution.

Finally, the TVPRA reauthorizes appropriations totaling more than \$200 million for fiscal years 2004 and 2005 to carry

out prevention, protection, and prosecution activities in order to combat trafficking.

The full text of the Trafficking Victims Protection Reauthorization Act (H.R. 2620) can be found online at:
www.state.gov/documents/organization/28225.pdf.

Preliminary Injunction Represents Victory for Workers in Agricultural Labor Exploitation Case

*New Paltz, NY
January 2004*

On December 18, 2003, the U.S. District Court for the Western District of New York granted a preliminary injunction barring the father-in-law of a defendant from interfering with court proceedings in his son-in-law's related labor exploitation case. The original case against the defendant, an agricultural employer, was filed on November 28, 2001, by Farmworker Legal Services of New York (FLSNY), in the Western District of New York. The workers asserted numerous claims, among which included that they were not receiving adequate wages, not paid for the actual number of hours worked, and were forced to live in unsanitary and inadequate housing conditions. Additionally, the workers claimed they were required to pay unauthorized expenses, including travel costs associated with coming to the United States. According to FLSNY, requiring workers to pay such expenses violates federal law as well as the workers' employment contracts.

Immediately after the workers' case was filed, the defendant's father-in-law began making false claims to government agencies in an attempt to discredit the workers and their legal counsel and thus hinder the related legal proceedings. Claims ranged from calling the workers "illegal aliens" before the INS, to associating them with terrorist activities and claiming their legal counsel were smugglers and traffickers. The Court found that the father-in-law's statements were

baseless and amounted to unlawful retaliation under the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Workers' Protection Act's anti-retaliation provisions. The Court issued a preliminary injunction enjoining the father-in-law from contacting or communicating with local, state, or federal government officials and agencies with regard to the workers and their legal counsel. The Court further enjoined and restrained any further retaliation, in any form, against the workers.

More information regarding the original case, as well as a copy of the order granting the preliminary injunction, can be found at: www.flsny.org.

California Federal Court Grants a Protective Order in a Civil Case Filed by a Trafficking Survivor, Prohibiting the Release of Information Relating to the Whereabouts of the Survivor and Non-Party Witnesses

*U.S. District Court, Central District of California
November 18, 2003*

The Coalition to Abolish Slavery and Trafficking (CAST), a Los Angeles based non-profit organization, assisted a trafficking survivor in bringing a civil suit against her traffickers. The survivor alleged, among other things, that she was a victim of trafficking, false imprisonment, and involuntary servitude. The defendant sought information regarding the whereabouts of the trafficking survivor and other non-party witnesses who were also trafficked and clients of CAST. With the assistance of CAST, she sought a protective order for herself and non-party witnesses to prevent the disclosure of any information that would lead to her whereabouts and the identity and whereabouts of the non-party witnesses.

Numerous precedents of federal case law were presented demonstrating that there was no need for the defendant to obtain the disputed information and that there was good cause for a protective order by balancing the trafficking survivor's bur-

den of production and privacy against the other party's and public's right to obtain information. Strong caselaw was also offered in support of withholding a witness' or party's whereabouts when there is a showing of harassment, humiliation or danger, and in some cases the withholding of a witness' real name, phone number and place of employment. Moreover, it was established that the TVPA and TVPRA entitle trafficking victims to protection from retaliation, threats, and public disclosure of names or other identifying information.

The Court found that in civil cases, qualified victims of trafficking should be provided protection to ensure their safety and security. In this case, she was qualified based upon her T-Visa status, which entitles her to protections and remedies available under the TVPA and TVPRA. The Court was persuaded that the trafficking survivor and non-party witnesses would be harmed without a protection order and would suffer emotional distress and anxiety if information regarding their whereabouts were disclosed. The Court further recognized that allowing such information to be disclosed could prevent others who have been trafficked from reporting crimes or pursuing their rights in court. The Court's protective order prohibited the defendants from seeking any information that could lead to the trafficking survivor's whereabouts and from seeking any information that could lead to the identity or whereabouts of the non-party witnesses.

Trafficking Bill Introduced in Washington State Senate

*State of Washington
2004 Regular Session*

Two trafficking bills were introduced to the Washington State Senate, one pertaining to protocols for delivery of services to victims of trafficking and the other creating an award recognizing service to victims of trafficking.

Senate Bill 6443 creates a work group to develop written protocols for state and

private agencies that provide services to victims of trafficking. The goal is to improve the state, local, and private entities' response to trafficking and to enhance the investigation and prosecution of these crimes. It also aims to establish a "coordinated and humane" system to identify the needs of victims and deliver appropriate services while promoting their safety and dignity. Among the protocol requirements are the following: 1) provide policies and procedures for cooperation among interagencies, government agencies, and NGOs; 2) establish an electronic database of agencies that provide services to victims; and 3) institute guidelines for providing services to victims, including housing, health care, and employment.

Senate Bill 6444 creates an annual award to honor and recognize individuals and groups, public or private, who have made notable contributions to fight trafficking or provide services to victims in the state of Washington.

POLICY & PROCEDURES

Vermont Service Center Requests Change in T-Visa Correspondence

*Saint Albans, Vermont
October 2003*

The Vermont Service Center has issued a request that all correspondence relating to T-Visa applications should be clearly addressed to the attention of the "T-VISA TEAM" in "big bold letters and any other means of an 'eye catcher.'" Documents processed with general mail can take several months to reach the proper location, and in some instances this has delayed the process of assisting trafficking victims with their cases. Small documents, and those not requiring original signatures can be faxed to (802) 527-4843 or 4863. The T-Visa

team also suggests that attorneys/representatives include the most recent G-28 forms with T-Visa correspondence. For more information, contact Homer Wetherby at: (802) 527-4700 x5076 or homer.wetherby@dhs.gov.

The legal subcommittee of the New York City Service Network for Trafficked Persons recommends that in addition to writing "T-VISA" in bold ink on the front of the envelope, the application should be sent by certified mail with a return receipt request. This will provide proof that the application was received and allow you to track the application in case it is misrouted by the service center's mailroom.

Congressmen Lantos and Smith Make Statements on New State Department Policy with Regard to Prostitution

*Washington, D.C.
November 2003*

Congressmen Tom Lantos (D-CA) and Chris Smith (R-NJ) recently made statements in an attempt to clarify the intent of Section 7 of the TVPRA of 2003, which amends Section 113 of the TVPA of 2000, by adding a new subsection. This new subsection places restrictions on organizations seeking government funding for anti-trafficking initiatives. The act denies funding to organizations that "promote, support, or advocate for the legalization of prostitution." As a result of this stipulation, concern has arisen with regard to whether all agencies, even if their programs do not specifically address prostitution, are required to develop an organizational position on the issue. Ann Jordan, director of Global Rights: Partners for Justice's Initiative Against Trafficking in Persons, states that some agencies fear that "... in order to meet the U.S. demand for a 'prostitution policy', they will have to convince their boards of directors to change their mission statement and policies. This may be difficult or even impossible for NGOs that do not work on prostitution."

In statements made to Congress in November 2003, Lantos and Smith noted that only organizations working specifically on issues of prostitution are required to take a stance on the issue. For other organizations, stating that they do not have a position on the issue is sufficient for the purposes of funding proposals. Based upon Representatives Lantos and Smith's statements, Ann Jordan proposes the following statement as an example: "Our organization does not promote, support, or advocate for the legalization of prostitution or the practice of prostitution because our organization has no policy on prostitution."

IN THE SPOTLIGHT

BOAT PEOPLE SOS

Boat People SOS (BPSOS) is a national non-profit organization serving Vietnamese immigrants and refugees. Through a network of 15 branch offices across the United States, BPSOS provides outreach and education, direct services, and community organizing projects on issues ranging from mental health services for torture survivors to youth mentoring.

The Victims of Exploitation and Trafficking Assistance (VETA) Program of Boat People SOS was initiated through its involvement in the Daewoosa case, the largest US trafficking prosecution to date. Since 2000, the VETA Program has assisted 206 Vietnamese and Chinese victims of trafficking from the Daewoosa case apply for and receive their T Visas. VETA continues to provide technical assistance to a network of over 30 immigration attorneys and advocates from over 20 non-profit organizations and private firms across the US who directly represent the majority of these clients. BPSOS Offices in Falls Church VA, Philadelphia PA, Houston TX, and

Orange County CA are developing capacity to provide legal services, case management, and/or cultural support to trafficking clients, and to conduct outreach and education efforts in these communities.

The VETA Program of BPSOS is also a member of two regional coalitions. The BPSOS Orange County CA Office is a part of the Partnership for Trafficking Victims Services (PTVS), funded by the Office of Refugee Resettlement. PTVS members include St. Anselm's Cross-Cultural Community Center, The Cambodian Family, Catholic Charities of Orange County, Public Law Center, and BPSOS. PTVS provides outreach and community education on human trafficking, as well as social and legal services for trafficking victims. PTVS is currently planning a community forum for service providers in March 2004.

In the DC Area, BPSOS and Ayuda, Inc formed a collaborative in 2003, funded by the Department of Justice, to support pre-certified victims of trafficking. The goal is to provide a collaborative mechanism for governmental and non-governmental entities to work together to ensure that trafficked persons are appropriately identified and receive suitable care and services immediately upon identification. BPSOS and Ayuda will conduct a needs assessment of service providers to gain a greater understanding of the services available for and the location of trafficking victims. Through this partnership, nine clients have already received legal services, case management, and assistance with emergency needs. The program will also develop a rapid response team of local service providers who can respond to trafficking emergencies systematically and efficiently.

For more information, please contact:
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6400 Arlington Boulevard, Suite 640
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Email: Jean.Bruggeman@bpsos.org

COALITION OF IMMOKALEE WORKERS' ANTI-SLAVERY CAMPAIGN

The Coalition of Immokalee Workers is a community-based workers' organization comprised of over 2,500 members, the majority of whom are Mexican, Guatemalan, and Haitian immigrants working in agriculture and other low-wage jobs throughout Florida and along the US East Coast. The CIW organizes for fair wages and working conditions, respect and dignity in the workplace, and an end to modern-day slavery in the fields. Its Anti-Slavery Campaign aims both to eliminate existing indentured servitude operations in US tomato fields and orange groves, and to prevent future cases of slavery by calling on corporate buyers of produce to exert their market power and influence to stop labor abuses from taking root in their supply chain.

CIW's worker-based approach to expose and fight trafficking employs a distinct method of outreach, investigation, joint collaboration with government agencies on criminal prosecutions, and peer orientation/counseling. CIW members visit labor camps to educate workers, conduct investigations, assist ex-captives, and coordinate community mobilization with federal agencies, in particular the Department of Justice (DOJ). Ex-captives find a community support network with CIW and participate in workshops on labor rights, leadership training, and organizing. Several victims of trafficking have now joined the long-haul fight for justice to defend the rights of other exploited workers.

Over the past decade, CIW members have uncovered and investigated various violent slavery operations involving hundreds of people held against their will in the vegetable fields and fruit groves of Florida, Georgia, and the Carolinas. Due to the extensive roots and networks in migrant communities throughout North America, the CIW has successfully detected slavery rings and monitored worker/witness movements. CIW members speak Spanish and indig-

enous languages such as Zapotec, Ttotzil, Nahuatl, Mam, and Quiche, and Haitian Creole.

Once a slavery operation is uncovered or brought to CIW's attention, the organization assists victims and witnesses who wish to contact the DOJ, provides an analysis of the slavery operation to federal authorities, and advocates for and remains in contact with victims/witnesses throughout the investigation and prosecution phases. The CIW has worked with DOJ on a number of successful prosecutions of Florida-based agricultural employers, including US vs. Flores, US vs. Cuello, US vs. Tecum, and US vs. Ramos.

In November 2003, three CIW members were honored with the Robert F. Kennedy Human Rights Award for their work fighting to end modern-day slavery and other labor abuses in the agricultural industry. (*For more information on the award ceremony, see News Briefs section*)

While worker-to-worker outreach and education is key to building trust and gathering information, CIW's collaboration with a wide network of groups is another vital component of successful operations. In addition to coordinating with the Department of Justice, the FBI, Interfaith Action, and local law enforcement, CIW relies upon extensive community partnerships to help witnesses secure safe housing, work, and legal services.

CIW is a member of the Freedom Network Institute on Human Trafficking, which trains law enforcement, social services providers, and community members on how to identify and assist victims of trafficking. CIW and LUCHA/Florida Immigrant Advocacy Center (FIAC) are the Institute's Southeastern US regional coordinators and have conducted trainings with North Carolina state troopers, the Florida Coalition Against Domestic Violence, and Durham-area Latino community organizations, among others. The CIW has also participated in federal law

enforcement trainings on slavery held by the Department of Justice at the National Advocacy Center.

CIW is also actively working to prevent future operations of modern-day slavery in agriculture. CIW has launched a national corporate responsibility campaign to encourage the fast-food industry to take responsibility for the conditions under which their products are harvested. Through creative actions and organizing, CIW members work towards a future free of exploitative sweatshop conditions and slavery in the fields. *For information regarding the CIW visit: : www.ciw-online.org.*

For more information please contact:

Laura Germino
Anti-Slavery Campaign, Coalition of
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Immokalee, FL 34143
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laura@ciw-online.org

CALENDAR OF EVENTS

FEBRUARY 2004

BRIEFING

**Issue and Strategy Briefing:
International Marriage Broker
Regulation Act of 2003
(S1455/HR2949)**

Sponsor: Tahirih Justice Center

Washington, DC
February 5
RSVP by February 2 to
justice@tahirih.org.

For more information, contact Jeanne Smoot at (703) 575-0070 or visit www.tahirih.org for a description of the legislative campaign.

MEETING

NYC Service Network Trafficking Meeting

Sponsor: New York City Service Network for Trafficked Persons

New York, NY
February 11

Location: Dechert LLP
30 Rockefeller Plaza

RSVP by February 9th to Angeli DeLeon at adeleon@safehorizon.org or by fax: (212) 577-3897

TRAININGS

Basic Crisis Response Training

Sponsor: National Organization for Victims Assistance

Washington, DC
February 16-20

Location: Hotel Washington

Call 1-800-424-9540 for reservations. Room rate is \$119.00 per night plus 14.5% tax. Cut-off date for discount room rate: January 30, 2004. Room block number: 18259. Registration fee: \$500.00

For more information, visit:
www.try-nova.org



Advanced Crisis Response Training

Sponsor: National Organization for Victims Assistance

Washington, DC
February 23-25

Location: Hotel Washington

Call: 1-800-424-9540 for reservations. Room rate is \$119.00 per night plus 14.5% tax. Cut off date for discount room rate: February 2, 2004. Room block number: 18341. Registration fee: \$450.00

For more information, visit:
www.try-nova.org

CONFERENCE

Combating Modern Day Slavery: Houston's Community Conference on Human Trafficking

Sponsor: Houston Coalition Against Human Trafficking (CAHT)

Houston, TX
February 19

Location: Dominican House

For more information, contact Stephanie Weber at sweber@domhou.org or (713) 747-3310.

MARCH 2004

TRAININGS

Impact of Crimes Immigration Training

Sponsor: Catholic Legal Immigration Network

Columbus, OH
March 4

This one-day training on the consequences of crimes will review crime-based inadmissibility and deportability issues, the significance of having a crime classified as an aggravated felony, crime bars to good moral character, and an overview of available immigration remedies. Participants will also discuss practice points for representing an immigrant with a criminal record.

Registration fee: \$110. For more information, contact Susan Schreiber at (312) 612-6712



Basic Crisis Response Training

Sponsor: National Organization for Victims Assistance

Portland, OR
March 22-26

Location: TBA
Registration Fee: \$500.00

For more information, visit:
www.try-nova.org



Advanced Crisis Response Training

Sponsor: National Organization for Victims Assistance

Portland, OR

March 29-31

Location: TBA

Registration Fee: \$450.00

For more information, visit:

www.try-nova.org

CONFERENCES

2nd Annual Trafficking in Persons Conference on Modern Day Slavery

Sponsors: U.S. Attorney's Office, Northern District of Texas; Office of Refugee Resettlement, HHS; Office for Victims of Crime, DOJ; Federal Bureau of Investigation; Dallas Police Department; Texas Department of Human Services, Office of Immigrant and Refugee Affairs; Victims of Trafficking Initiative; Mosaic Family Services; International Rescue Committee, Dallas; Violence Intervention and Prevention Center, Parkland Health and Hospital System; Center for Survivors of Torture; Catholic Charities, Dallas; Catholic Charities, Fort Worth; Refugee Services of Texas; North Texas Immigration Coalition.

Dallas, TX

March 3-5

Location: Adam's Mark Hotel

For more information contact trafficking@mosaicervices.org or call (214) 821-5393.



8th Annual Collaborating to STOP Violence Against Women Conference

Sponsor: Louisiana Foundation Against Sexual Assault

Baton Rouge, LA

March 3-5

Location: Marriott Hotel

For more information, contact Louisiana District Attorney Association at (225) 343- 0171 or roxie@ldaa.org.

APRIL 2004

CONFERENCES

Fourth International Conference on Domestic Violence, Sexual Assault and Stalking

Sponsors: End Violence Against Women (EVAW), National Coalition Against Domestic Violence, Center for Community Solutions, National Center for Women & Policing, San Diego County District Attorney, Southern California Coalition of Battered Women, Communities Against Violence Network, San Diego City Attorney

San Diego, CA

April 7-9

Location: Holiday Inn on the Bay

For more information, visit:

www.mysati.com/2004_conference.htm



26th International Asian Organized Crime Conference

Sponsor: International Organization of Asian Crime Investigators and Specialists

Honolulu, HI

April 11-16

Location: Hyatt Regency Hotel

For more information, contact Benjamin Leong at (617) 968-2311 or via email at iaocc2004@aol.com



5th Annual Victims' Rights Conference

Sponsor: University of Maryland Police Department

Baltimore, MD

April 16

Location: Medical School Teaching Facility, 685 West Baltimore Street

For more information, contact

Cpl. William Griffin at (410) 706-1408

TRAININGS

Sexual Assault Advocate/Counselor Training

Sponsor: Department of Justice, Office for Victims of Crime

Minneapolis, MN

April 13-14

This training focuses on crisis intervention rather than long-term counseling, and helps deepen an understanding of the problem of sexual assault and the major roles of an advocate/counselor.

Registration costs \$200 and the deadline is March 16, 2004. Registration forms

are available online at www.ovcttac.org. For more information, contact the Office for Victims of Crime Training and Technical Assistance Center (OVC TTAC) at 1-866-682-8822.



Professional Development Institute
Sponsor: Department of Justice, Office for Victims of Crime

Washington, DC
April 21-23

The Professional Development Institute provides theoretical concepts and practical guidelines for leadership, strategic planning, human resource development, and program evaluation. This training is designed for program managers and supervisors who want to enhance their performance in managing their services, resources, and staff.

Registration costs \$250 and the deadline is March 24, 2004. Registration forms are available online at www.ovcttac.org. For more information, contact the Office for Victims of Crime Training and Technical Assistance Center (OVC TTAC) at 1-866-682-8822.

MAY 2004

TRAINING

Leadership in Victim Services
Sponsor: Department of Justice, Office for Victims of Crime

Los Angeles, CA
May 3-5

Registration costs \$250 and the deadline is April 5, 2004. Registration forms are available online at www.ovcttac.org.

For more information, contact the Office for Victims of Crime Training and Technical Assistance Center (OVC TTAC) at 1-866-682-8822.

CONFERENCE / CALL FOR PAPERS

Bondage, Subjugation, and the New Slavery in Comparative World Perspective

Sponsor: Department of History and the Center for History, Society and Culture at University of California-Davis

Davis, CA
May 28-30

Location: UC Davis

The theme of this meeting will be slavery in its broadest and most inclusive sense. Any scholarship dealing with the political, social, economic, political or cultural dimensions of human subjugation throughout the world, including North America, will be considered. Papers that adopt a cross-cultural or inter-regional approach, including research beyond strictly historical disciplinary boundaries, and scholarship connecting contemporary human trafficking are particularly welcome.

Please send proposals for papers/panels to Benjamin Lawrance at bnl@uscDavis.edu. The deadline is March 15, 2004.

Additional information is available at: <http://chsc.ucdavis.edu/confwrksp-frame.html>

TRAFFICKING WATCH is a quarterly newsletter that reports primarily on news and developments relevant to human trafficking in the United States and also includes a compilation of resources drawn from diverse sectors and fields at the local, national, and international levels to promote the exchange of information, strategies, and good practices in order to effectively combat trafficking.

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Send comments, suggestions or announcements to: listserv@ftp.theirc.org. To subscribe to *Trafficking Watch*, send an email to: listserv@ftp.theirc.org.

In the body of the message type:
Subscribe traffickingwatch-list
Firstname Lastname

Trafficking Watch can be downloaded from the IRC website (<http://www.theirc.org>)

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The International Rescue Committee (IRC) is the leading nonsectarian, voluntary organization providing relief, protection and resettlement services for refugees and victims of oppression or violent conflict. The IRC is committed to freedom, human dignity and self-reliance. This commitment is reflected in well-planned global emergency relief, rehabilitation assistance, resettlement services and advocacy for refugees.



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